

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chair Krayton Kerns, on January 27, 2011 at 3:00 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Bob Wagner, Vice Chair (R)
Rep. Lila Walter Evans (R)
Rep. Steve Fitzpatrick (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. David Howard (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Jonathan McNiven (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Lee Randall (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Frank Smith (D)
Rep. Kathleen Williams (D)

Members Excused: None

Members Absent: Rep. Timothy Furey, Vice Chair (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Christy Clark (R)
Rep. Pat Noonan (D)
Rep. Joe Read (R)
Rep. Joanne G. Blyton (R)

Staff Present: Dave Bohyer, Legislative Branch
Lauren Head, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 303, 1/24/2011; HB 309, 1/24/2011; HB 318, 1/24/2011

HEARING ON HB 303**Opening Statement by Sponsor:**

00:01:18 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 303, Revise surface owner notification and compensation laws for mining.

[**EXHIBIT**](#)(agh21a01)

00:02:41 Rep. Clark joined the meeting.

00:03:04 Rep. McClafferty joined the meeting.

00:03:24 Rep. Blyton joined the meeting.

Proponents' Testimony:

00:03:51 Mike Collins, self

[**EXHIBIT**](#)(agh21a02)

Opponents' Testimony:

00:07:00 Debbie Shea, Director, Montana Mining Association (MMA)

00:10:28 Don Allen, Western Environmental Trade Association (WETA)

00:13:34 KD Feedback, CR Montana Corporation

[**EXHIBIT**](#)(agh21a03)

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:08 Rep. Hoven

00:16:22 Rep. Flynn

00:17:18 Vice Chair Wagner

00:17:44 Rep. Flynn

00:17:55 Vice Chair Wagner

00:18:02 Rep. Flynn

00:18:18 Mr. Collins

00:19:50 Rep. Randall

00:20:23 Rep. Flynn

00:20:45 Rep. Randall

00:21:19 Rep. Flynn

00:22:06 Rep. Noonan joined the meeting.

00:22:28 Rep. Randall

00:22:44 Mr. Feedback

00:23:31 Rep. Fitzpatrick

00:24:01 Mr. Feedback

00:24:06 Rep. Fitzpatrick

00:24:42 Mr. Feedback

00:24:49 Rep. Fitzpatrick
 00:25:05 Mr. Feedback
 00:25:53 Rep. Fitzpatrick
 00:26:11 Mr. Feedback
 00:26:23 Rep. MacDonald
 00:27:05 Mr. Feedback
 00:27:22 Rep. MacDonald
 00:28:14 Mr. Feedback
 00:28:40 Rep. Hoven
 00:29:01 Mr. Feedback
 00:29:10 Rep. Hoven
 00:29:20 Mr. Collins
 00:29:36 Rep. Hoven
 00:29:41 Mr. Collins

EXHIBIT(agh21a04)

00:33:45 Rep. Hoven
 00:33:46 Mr. Collins
 00:35:16 Rep. Smith
 00:35:55 Rep. Flynn
 00:36:30 Rep. Smith
 00:36:43 Rep. Flynn

Closing by Sponsor:

00:37:06 Rep. Flynn

HEARING ON HB 318

Opening Statement by Sponsor:

00:39:07 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 318, Ensure county oversight in movement of publicly-owned wild buffalo or bison.

EXHIBIT(agh21a05)

Proponents' Testimony:

00:48:40 Lesley Robinson, Phillips County Commissioner

EXHIBIT(agh21a06)

00:51:01 Marty Malone, Park County Commissioner

EXHIBIT(agh21a07)

EXHIBIT(agh21a08)

00:52:53 Jay Bodner, Montana Stockgrowers Association

00:54:07 John Youngberg, Montana Farm Bureau Federation (MFBF)

00:54:56 Shelby DeMars, United Property Owners of Montana (UPOM)

00:55:27 Jim Brown, Montana Wool Growers Association (MWGA)

Opponents' Testimony:

00:57:28 Art Noonan, Deputy Director, Fish, Wildlife, and Parks (FWP)

01:04:36 Annie Glover, Confederated Salish-Kootenai Tribes (CSKT)

EXHIBIT(agh21a09)

01:07:09 Leroy Mehring, self

01:08:36 Lory Thomas, self

Informational Testimony: None

Questions from Committee Members and Responses:

01:09:11 Vice Chairman Wagner

01:09:40 Mr. Noonan

01:09:47 Vice Chairman Wagner

01:09:50 Mr. Noonan

01:10:00 Rep. Smith

01:10:21 Mr. Noonan

01:10:27 Rep. Smith

01:10:32 Mr. Noonan

01:10:38 Rep. Smith

01:10:42 Mr. Noonan

01:10:45 Rep. Smith

01:10:50 Mr. Noonan

01:10:57 Rep. Smith

01:11:07 Mr. Noonan

01:11:10 Rep. Smith

01:11:25 Mr. Noonan

01:12:54 Rep. Clark

01:13:34 Mr. Noonan

01:14:36 Rep. Clark

00:14:56 Mr. Noonan

01:15:46 Rep. Pease-Lopez

01:16:12 Rep. Warburton

01:17:07 Rep. Pease-Lopez

01:17:34 Rep. Warburton

01:18:06 Rep. Hale

01:18:25 Mr. Noonan

01:18:43 Rep. Hale

01:18:47 Mr. Noonan

01:18:53 Rep. Hale

01:19:16 Mr. Noonan

01:19:29 Rep. Hale

01:19:35 Mr. Noonan

01:19:46 Rep. Hale

01:20:21 Mr. Noonan

01:20:43 Rep. Evans

01:21:04 Mr. Noonan

01:21:22 Rep. Evans

01:22:08 Mr. Noonan

01:24:10 Rep. Williams
01:24:46 Mr. Noonan
01:25:38 Rep. Williams
01:25:42 Mr. Noonan
01:25:56 Rep. Smith
01:26:07 Mr. Noonan
01:26:10 Rep. Smith
01:26:15 Mr. Noonan
01:26:37 Rep. Smith
01:26:48 Mr. Noonan
01:27:23 Rep. Smith
01:27:29 Mr. Noonan
01:27:44 Rep. Hoven
01:28:09 Mr. Noonan
01:28:21 Rep. McNiven
01:29:02 Mr. Malone
01:29:27 Rep. McNiven
01:29:31 Mr. Malone
01:29:54 Rep. McNiven
01:30:04 Mr. Malone
01:30:36 Rep. McNiven
01:31:07 Mr. Noonan
01:31:55 Rep. McNiven
01:33:10 Mr. Noonan
01:35:10 Rep. McNiven
01:35:18 Mr. Noonan

Closing by Sponsor:

01:35:49 Rep. Warburton

EXHIBIT(agh21a10)

01:39:02 Rep. Salomon and Rep. McNiven left the meeting.

HEARING ON HB 309

Opening Statement by Sponsor:

01:39:17 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 309, Clarify prohibition on recreational access to ditches.

01:41:42 Rep. Salomon rejoined the meeting.

Proponents' Testimony:

01:42:36 Tammy Johnson, Montana Rural Family Irrigators Ad-Hoc Coalition

01:48:31 Rep. McNiven rejoined the meeting.

01:49:10 Ed Grady, self

01:52:49 John Youngberg, MFBF, Association of Gallatin Agricultural Irrigators (AGAI),
Montana Water Resources Association (MWRA)
01:54:41 Jim Brown, MWGA
01:56:12 Jay Bodner, MSGA
01:57:24 Rhonda Wiggers, Montana Rural Family Irrigators Ad-Hoc Coalition
[EXHIBIT\(agh21a11\)](#)
[EXHIBIT\(agh21a12\)](#)
02:03:42 Shelby DeMars, UPOM

Opponents' Testimony:

02:04:49 George Golie, Montana Wildlife Federation (MWF)
02:07:56 Bob Lane, Chief Legal Council, FWP
02:16:45 Mark Aagenes, Montana Trout Unlimited (MTU)
02:20:42 Tony Schooney, President, Montana Coalition for Stream Access
02:24:23 Brianna Randall, Clark Fork Coalition
02:26:36 Casey Perkins, Montana Audubon
02:27:11 Lory Thomas, Anaconda Sportsman
02:28:17 Leroy Mehring, Skyline Sportman, FWP
02:29:23 Rich Day, George Grand Chapter, MTU
02:30:20 Stan Frasier, Helena Hunters and Anglers
02:32:02 Scott Renalds, self

Informational Testimony: None

Questions from Committee Members and Responses:

02:33:08 Rep. Hoven
02:33:52 Mr. Lane
[EXHIBIT\(agh21a13\)](#)
02:35:10 Rep. Noonan
02:35:31 Rep. Welborn
02:36:53 Rep. Noonan
02:37:03 Rep. Welborn
02:37:16 Rep. Howard
02:37:46 Mrs. Wiggers
02:40:20 Vice Chairman Wagner
02:40:45 Mr. Lane
02:41:38 Vice Chairman Wagner
02:42:06 Mr. Lane
02:42:42 Rep. Fitzpatrick
02:43:16 Mr. Grady
02:45:06 Rep. Smith
02:45:41 Mr. Lane
02:48:05 Rep. Smith
02:48:09 Mr. Lane
02:49:06 Mrs. Wiggers
[EXHIBIT\(agh21a14\)](#)
02:50:15 Rep. Williams
02:50:34 Mr. Aagenes

02:51:05 Rep. Williams
02:51:30 Mrs. Wiggers
02:52:08 Rep. Williams
02:52:39 Mrs. Wiggers
02:53:35 Rep. Williams
02:53:43 Mrs. Wiggers

Closing by Sponsor:

02:54:32 Rep. Welborn

ADJOURNMENT

02:56:03 Adjournment

Lauren Head, Secretary

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Additional Documents:

EXHIBIT([agh21aad.pdf](#))